

At different times the DOT will receive requests from a Water Board or a City to drain water onto highway right-of- way.

Other requests that the DOT receives are to look at changing the existing drainage. Generally, when these requests are received, they are handled by the Design Division.

V-06.01 Drainage Permits

When a request comes to the DOT, (Central Office or District), from a Water Board or City, it is forwarded to the Design Division for review and preparation of the permit, if granted.

The Design Division will determine what impact such drainage would have on DOT facilities. If the review concludes that a permit could be issued, it will be issued in the name of the Water Board or the City.

Each permit will be specific to the respective site, but Appendices V-06A and V-06B will provide guidance to what should be in the permit.

V-06.01.1 Procedure for Issuing Permit

When it has been concluded that a permit will be issued the following procedure should be followed:

- Draft the permit and have it signed by the Design Engineer.
- Send it to the Legal Division for review and approval as-to-form stamp.
- Send it to the Water Board or City for signature.
- Send it to Legal for review and for approval stamp.
- Send it to the Deputy Director for Engineering for signature.
- Keep original and send copies to the Water Board or City and the respective District Engineer.

V-06.02 Drainage Reviews

Drainage reviews can occur in a couple ways. One is when a highway is being reconstructed or some major work is being done. The other is when a special request comes from an individual, District, Water Board, or City.

V-06.02.1 Project Review

When a highway is being reconstructed or having some major work done, it is a good time to look at the drainage, particularly if there have been some areas where problems exist.

If the recommendation is to modify the existing drainage or drainage patterns in any areas, the respective Water Board should be given a chance to comment.

V-06.02.2 Special Drainage Review

There are times when a private property owner requests a review or change in the drainage affecting their property. The property owner should contact the respective District with a formal request.

When the formal request is received the Design Division will make the review and in so doing will review the following records seeking the cause of the problem:

- Old Plans
- Cross Sections
- Aerial Photographs
- USGS Quad Maps
- Consult District
- Make a field review of the site

When the review has been complete the conclusions will be sent to the respective Water Board and District.

Appendix V-06A Sample Permit to Water Resource Board

P E R M I T

The Maple River and Rush River Water Resource Boards, hereinafter called the Permittee, is hereby granted permission from the North Dakota Department of Transportation, hereinafter called the NDDOT, to enter Interstate 94 right of way for the purpose of constructing a drainage channel in the north ditch of Interstate 94 as part of the "Phase II - I-94 Swan Creek Diversion" in Sections 2, 3, and 4, Township 139N, Range 52W. The construction of the drainage channel on interstate right of way shall conform to the plan sheets submitted by Moore Engineering, Inc., dated April 21, 2000, and the following provisions:

1. The Permittee shall sponsor the project and guarantee that no environmental conflicts are involved.
2. The Permittee shall be responsible for all costs incurred for all items of work, complete in place, and shall include the furnishing of all labor, equipment, and relocation of utilities, if necessary.
3. The Permittee shall be responsible for all costs incurred for the removal, disposal and abandonment of all wells, septic systems, lagoons, and lift stations.
4. Permittee shall be responsible for all maintenance and repair costs of the overflow channel, low water crossing and siltation, vegetation and erosion control. If immediate maintenance and repairs are not made when requested by the NDDOT Fargo District Engineer, maintenance and repairs will be made by the NDDOT at the cost of the Permittee.
5. The Permittee shall provide 50 Black Hills Spruce trees, 6' in height balled and burlaped, 20 Patmore Ash trees, 3 inch diameter balled and burlaped to replace trees that are removed. The Fargo District will determine the location of the trees. The Permittee shall provide a two year warranty to replace any trees that die within two years.
6. The overflow channel shall be constructed on the outer edge of the interstate right of way and in no case shall any construction activities be closer than 58 feet from the centerline of the roadway without prior consent from the NDDOT Fargo District Engineer.
7. The Permittee shall notify the NDDOT Fargo District Engineer, forty-eight (48) hours prior to the beginning of the work. Immediately following the final cleanup of the area, the Permittee shall again notify the District Engineer.
8. All work on interstate right of way shall be done in a neat and professional manner, subject to inspection and approval by the NDDOT Fargo District Engineer.

9. Excess dirt shall be wasted outside of interstate right of way and all excavated areas shall be reseeded.
10. Protection to the free and safe flow of Interstate traffic shall be required in accordance with the "Manual on Uniform Traffic Control Devices," current edition.
11. The overflow channel shall be completed by November 15, 2000, and the trees shall be planted by June 1, 2001. This Permit shall expire upon final acceptance by the NDDOT Fargo District Engineer of the work performed by the Permittee or Subcontractor.
12. The Risk Management Appendix (RMA), attached, is hereby incorporated into this Permit by reference. Insurance requirements of the RMA extend only to the expiration of the Permit. Other terms of the RMA shall survive the expiration of the Permit.
13. By entering upon the interstate right of way to perform the work authorized by this Permit and thereby accepting the benefits of this Permit, the Permittee agrees to be bound by all the terms and conditions of this Permit.

Executed the date last below signed

RECOMMENDED FOR APPROVAL

Kenneth E. Birst - Design Engineer

Date

Name of Water Resource District

Authorized WRB Signature

Date

APPROVED:

Grant Levi
Deputy Director for Engineering

Date

Appendix V-06B Sample Permit To City

P E R M I T

The City of Bismarck, hereinafter called the Permittee, is hereby granted permission from the North Dakota Department of Transportation, hereinafter called the NDDOT, to enter Interstate 94 right of way for the purpose of conveying surface runoff to a storm sewer by installing 54" RCP and constructing an overflow channel all in the south ditch of Interstate 94 in the SE 1/4 of Section 27, Township 139N, Range 80W. The construction of the overflow channel and installation of RCP pipe on interstate right of way shall conform to the plan sheets submitted by the Permittee dated April 11, 2000, and the following provisions:

1. The Permittee shall sponsor the project and guarantee that no environmental conflicts are involved.
2. The Permittee shall be responsible for all costs incurred for all items of work, complete in place, and shall include the furnishing of all labor, equipment, and relocation of utilities, if necessary.
3. The Permittee shall be responsible for necessary maintenance involving erosion in the interstate right of way as a result of this project, and shall make immediate repairs, when needed, at the request of the NDDOT Bismarck District Engineer.
4. The 54" RCP pipe and overflow channel shall be constructed on the outer edge of the interstate right of way and in no case shall any construction activities be closer than 58 feet from the centerline of the roadway without prior consent from the NDDOT Bismarck District Engineer.
5. The Permittee shall notify the NDDOT Bismarck District Engineer, forty-eight (48) hours prior to the beginning of the work. Immediately following the final cleanup of the area, the Permittee shall again notify the District Engineer.
6. All work on interstate right of way shall be done in a neat and professional manner, subject to inspection and approval by the NDDOT Bismarck District Engineer.
7. Excess dirt shall be wasted outside of interstate right of way and all excavated areas shall be reseeded. Trees and shrubs that are damaged during construction shall be replaced.
8. Protection to the free and safe flow of the Interstate traffic shall be required in accordance with the "Manual on Uniform Traffic Control Devices," current edition.
9. This Permit shall expire upon final acceptance by the NDDOT Bismarck District Engineer of the work performed by Permittee or Subcontractor.

10. The Risk Management Appendix (RMA), attached, is hereby incorporated into this Permit by reference. Insurance requirements of the RMA extend only to the expiration of the Permit. Other terms of the RMA shall survive the expiration of the Permit.
11. By entering upon the interstate right of way to perform the work authorized by this Permit and thereby accepting the benefits of this Permit, the Permittee agrees to be bound by all the terms and conditions of this Permit.

Executed the date last below signed.

RECOMMEND FOR APPROVAL:

Kenneth E. Birst, P.E. - Design Engineer

Date

Permittee (Name)

Signature

Date

APPROVED:

Grant Levi
Deputy Director for Engineering

Date